

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

JOHN BEAN TECHNOLOGIES
CORPORATION, a Delaware corporation,

Plaintiff-Counterdefendant,

v.

BGSE GROUP, LLC, a North Carolina limited
liability company, and BRYAN
BULLERDICK, an individual,

Defendants-Counterclaimants.

[PROPOSED] JUDGMENT

Case No. 1:17-cv-00142-RJS-DAO

Judge: Robert J. Shelby

Magistrate Judge: Daphne A. Oberg

This matter between Plaintiff-Counterdefendant John Bean Technologies Corporation (“Plaintiff”) and Defendants-Counterclaimants B GSE Group, LLC (“BGSE”) and Bryan Bullerdick (“Bullerdick”) (collectively, “Defendants”) was tried before a jury with Judge Robert J. Shelby presiding. The jury rendered its verdicts on October 6, 2022. (Dkts. 262 and 263).

1. In Docket 262, the jury found as follows:
 - a. The jury found in favor of Plaintiff on all of its claims against Defendants and awarded Plaintiff \$525,033 in damages as follows:
 - i. \$323,256 for Misappropriation of Trade Secrets under federal Defend Trade Secrets Act, 18 U.S.C. § 1831 et seq., and Utah Uniform Trade Secrets Act, Utah Code Ann. § 13-24-1 et seq.; Federal Unfair Competition and False Designation of Origin, 15 U.S.C. § 1125(a); Breach of Contract by Bullerdick – The 2011 Confidentially Agreement; Breach of Contract by BGSE – The 2011 Non-Disclosure Agreement; and Breach of Contract by BGSE – The 2012 Distributorship Agreement;
 - ii. \$96,664 for Tortious Interference with Prospective Economic Advantage - Lemoore P-328 Project;
 - iii. \$43,181 for Tortious Interference with Prospective Economic Advantage - Beaufort P-465 Project; and
 - iv. \$61,932 for Tortious Interference with Prospective Economic Advantage - Kadena P-803 Project.

- b. The jury found by clear and convincing evidence that:
 - i. Defendants' conduct in misappropriating Plaintiff's trade secrets was willful and malicious;
 - ii. BGSE's actions were willful with respect to Plaintiff's claim for false designation of origin;
 - iii. Both Defendants' actions with regard to Plaintiff's claim for tortious interference were willful or malicious.
 - c. The jury awarded \$0 in damages to Defendants on their unfair or deceptive trade practices act counterclaim.
2. In Docket 263, the jury found in favor of Plaintiff and awarded Plaintiff \$600,000 in punitive damages as follows:
- a. \$100,000 as to Defendant Bullerdick; and
 - b. \$500,000 as to Defendant BGSE.

Pursuant to Federal Rule of Civil Procedure 58, and in accordance with the jury's unanimous verdict, it is hereby **ORDERED** and **ADJUDGED THAT**:

1. Judgment is hereby entered in favor of Plaintiff John Bean Technologies Corporation against Defendants B GSE Group, LLC and Bryan Bullerdick, jointly and severally, in the sum of \$525,033, together with post-judgment interest and taxable costs as fixed by the Court.

2. In addition, judgment is hereby entered in favor of Plaintiff John Bean Technologies Corporation (a) against Defendant B GSE Group, LLC for punitive damages in the sum of \$500,000 and (b) against Defendant Bryan Bullerdick for punitive damages in the sum of \$100,000, together with post-judgment interest and taxable costs as fixed by the Court.

3. In addition, judgment is hereby entered that Defendants B GSE Group, LLC and Bryan Bullerdick take nothing against Plaintiff John Bean Technologies Corporation on their unfair or deceptive trade practices act counterclaim.

Upon separate application to the Court, the Court may award to Plaintiff attorney's fees, non-taxable costs, statutory enhanced damages, and pre-judgment interest as may be allowed under law.

SO ORDERED this ____ day of _____, 2022.

BY THE COURT:

ROBERT J. SHELBY
United States District Judge